

Adopted	Rejected
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## COMMITTEE REPORT

YES:	8
NO:	3

### MR. SPEAKER:

*Your Committee on Technology, Research and Development, to which was referred House Bill 1279, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill **be amended** as follows:*

- 1       Page 3, line 26, delete "or".
- 2       Page 3, line 29, after "subdivision (1);" insert "**or**".
- 3       Page 3, between lines 29 and 30, begin a new line block indented
- 4       and insert:
- 5       **"(3) provides commercial mobile radio service (as defined in**
- 6       **47 CFR 51.5);"**.
- 7       Page 3, line 31, delete "subdivisions (1)" and insert "**this section.**".
- 8       Page 3, delete line 32.
- 9       Page 6, line 34, delete "or".
- 10      Page 6, between lines 34 and 35, begin a new line block indented
- 11      and insert:
- 12      **"(5) a CMRS provider (as defined in IC 36-8-16.5-6); or"**.
- 13      Page 6, line 35, delete "(5)" and insert "**(6)**".
- 14      Page 7, line 13, delete "2007," and insert "**2006,**".
- 15      Page 7, line 15, delete "service except as follows:" and insert

- 1       **"service."**
- 2       Page 7, delete lines 16 through 29.
- 3       Page 9, between lines 20 and 21, begin a new paragraph and insert:
- 4       **"(g) This section may not be construed to permit a provider to**
- 5       **impose local measured service on the provider's basic**
- 6       **telecommunications customers."**
- 7       Page 11, line 27, after "customers" delete ";" and insert ", **other**
- 8       **than video provided under federally licensed bandwidth;"**.
- 9       Page 16, between lines 31 and 32, begin a new paragraph and insert:
- 10       "SECTION 27. IC 8-1-2.8-8.5 IS ADDED TO THE INDIANA
- 11       CODE AS A **NEW** SECTION TO READ AS FOLLOWS
- 12       [EFFECTIVE JULY 1, 2006]: **Sec. 8.5. As used in this chapter,**
- 13       **"provider" has the meaning set forth in IC 8-1-2.6-0.5."**
- 14       Page 17, line 21, delete "LECs" and insert **"providers"**.
- 15       Page 17, line 23, delete "LECs;" and insert **"providers;"**.
- 16       Page 17, line 28, delete "LECs" and insert **"providers"**.
- 17       Page 18, line 18, delete "communications service".
- 18       Page 18, line 19, delete "(as defined in IC 8-1-32.6-6)".
- 19       Page 19, line 4, delete "communications service".
- 20       Page 19, line 36, delete "LEC" and insert **"provider"**.
- 21       Page 19, line 38, delete "LEC," and insert **"provider,"**.
- 22       Page 19, line 38, delete "LEC." and insert **"provider."**.
- 23       Page 19, line 41, delete "LEC" and insert **"provider"**.
- 24       Page 20, line 20, delete "communications service".
- 25       Page 20, line 20, delete "(as".
- 26       Page 20, line 21, delete "defined in IC 8-1-32.6-6)".
- 27       Page 20, line 42, delete "LEC" and insert **"provider"**.
- 28       Page 22, line 9, delete "not do any of the following:" and insert
- 29       **"not,"**.
- 30       Page 22, line 10, delete "(1) With" and insert **"with"**.
- 31       Page 22, run in lines 9 through 10.
- 32       Page 22, line 12, delete "anticompetitive or".
- 33       Page 22, delete lines 13 through 42, and insert **"discriminatory. For**
- 34       **purposes of this subsection, a rate, term, or condition for retail**
- 35       **service is unreasonably preferential, prejudicial, or discriminatory**
- 36       **if the rate, term, or condition:**
- 37               **(1) is not offered uniformly to all comparably situated**
- 38               **customers in a metropolitan statistical area; or**

- 1           **(2) violates IC 8-1-2-103(a) or IC 8-1-2-105, to the extent that**
- 2           **the provider is subject to IC 8-1-2-103(a) or IC 8-1-2-105."**
- 3           Page 23, line 3, delete "an incumbent local exchange carrier" and
- 4           insert "**a provider**".
- 5           Page 23, line 4, delete "5(3)" and insert "**5**".
- 6           Page 24, delete lines 23 through 24.
- 7           Page 24, line 25, delete "(B)" and insert "**(A)**".
- 8           Page 24, line 36, delete "(C)" and insert "**(B)**".
- 9           Page 27, line 27, delete "Telecommunications" and insert "**A**
- 10          **telecommunications**".
- 11          Page 27, line 28, after "153(46))" delete "." and insert "**other than**
- 12          **commercial mobile radio service (as defined in 47 CFR 51.5)".**
- 13          Page 27, line 29, delete "Information" and insert "**An information**".
- 14          Page 31, delete lines 5 through 42.
- 15          Delete page 32.
- 16          Page 33, delete lines 1 through 23.
- 17          Page 33, line 24, delete "17." and insert "**15**".
- 18          Page 36, line 2, after "to any" insert "**unit or**".
- 19          Page 42, line 3, delete "view and video on demand charges" and
- 20          insert "view.".
- 21          Renumber all SECTIONS consecutively.
- (Reference is to HB 1279 as introduced.)

**and when so amended that said bill do pass.**

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Representative Murphy